

REMARKS

This amendment is responsive to the final office action mailed from the U.S. Patent and Trademark Office on January 15, 2008 in the above-identified application.

Claims 1, 2, 4-7, 9-13 and 17-20 stand rejected. Claims 1, 12 and 17 have been amended. No new matter is introduced. The Applicants respectfully request reconsideration in view of the foregoing amendments.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 6, 12 and 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schein et al. (U.S. Patent 6,226,623) in view of Wallman (U.S. Patent 6,601,044). Claims 4, 5 and 9-11 were rejected over Schein et al. in view of Wallman and in further view of Clark et al. (U.S. Patent 5,710,889). Claim 7 was rejected over Schein et al. in view of Wallman in further view of Maggioncalda et al. (U.S. Patent 5,918,217). Claims 2 and 13 were rejected over Schein et al. in view of Wallman in further view of Clark et al., Maggioncalda et al., Wolfberg et al. (U.S. Patent 5,214,579), Earle (U.S. Patent 5,262,942), Petruzzi (U.S. Patent 5,806,049) and Fox (U.S. Patent 5,132,899).

Schein et al. discloses a global banking network that interconnects disparate systems and provides customers with consolidated access to all account information stored on such systems. The Office Action acknowledges that "Schein does not explicitly disclose the real-time financial customer monitoring system transmitting the real-time data to the at least one alert device." However, the Office Action asserts that it is obvious that "this system transmits the real time data appropriate to a real time monitored situation through at least one alert device of the extraordinary communication capabilities available within this global system in order to transmit the alert information to the transaction customer *such as an investor involved in a related transaction.*" (emphasis added). Thus, at best, Schein et al. merely disclose a system that provides feedback only to a customer who initiates a banking transaction as opposed to providing real-time alerts to an alert device operated by a third party, such as a financial advisor, to enable third party intervention in the at least one investor-mediated transaction.

Claim 1 is now amended to recite an integrated system that comprises, in part, a host server comprising a real-time investor monitoring system that (i) receives real-time data from an

online investor transaction server system regarding the state of at least one investor mediated transaction conducted by an investor using the online transaction system and (ii) transmits the real-time data to an alert device *operated by a third party* that presents the real-time data as an alert to enable *third party* intervention in the at least one investor-mediated transaction. Claims 12 and 17 recite similar features from the perspective of an alert device and a host server, respectively. Support for these amendments may be found throughout the present specification, for example at page 7, line 29-page 8, line 2, and at page 16, lines 1-20.

Niether Wallman, Clark et al. Maggioncalda et al., Wolfberg et al., Earle, Petruzzi and Fox, either individually or in combination, fail to correct the deficiencies of Schein et al. Specifically, none of the prior art of record teach or suggest alerting a *third party*, such as a financial advisor, in real time as to the state of an investor mediated transaction conducted by an investor using the online transaction system and thus, enabling the third party to intervene in the transaction.

Specifically, Wallman discusses alerting *an investor* in response to particular events (Wallman: col. 26, line 18; col. 31, lines 36-38).

Similarly, Clark et al. discusses a system that provides feedback only to a customer who initiates the transaction. (See Clark: col. 10, lines 43-52).

With respect to Maggioncalda et al., a user interface for a financial advisory system is discussed through which a user may interactively explore how changes in one or more input decisions affect one or more output values. (See Maggioncalda et al.: col. 2, line 33 to col. 3, line 63).

Wolfberg et al. discusses a data processing system which manages, monitor and reports the growth of a participant's investment base and controls a number of financial services which are provided to the participant such as check writing, borrowing privileges as well as insurance benefits. (See Wolfberg et al.: Abstract; col. 24, lines 43-52).

In Earle, a financial transaction network employs a shareholder network serviced by a host processor. The financial network maintains a number of mutual fund portfolios operating in different currencies. The host processor acts as a communications switch validating incoming transaction requests and routing the to a central Transfer Agent system for execution. (See Earle: Abstract, col. 7, lines 48-59; col. 9, lines 54-57)

Petruzzi discusses a data processing system is discussed for determining a matrix of optimal investment portfolios based on globally accessed investment return and risk criteria. (See Petruzzi: Abstract).

In Fox, a computer apparatus combined with data gathering and processing methodology is discussed that produces a system whereby a list of stocks and a cash position is generated and purchased for investment and operating accounts. (See Fox: Abstract).

For at least these reasons, claims 1, 12 and 17 are patentable as they are neither anticipated by nor obvious in view of the cited prior art of record.

Furthermore, by virtue of at least their dependency and upon the additional features recited therein, claims 2, 4-7, 9-11, 13 and 18-20 are also patentable.

CONCLUSION

In view of the above amendments and remarks, it is believed that claims 1, 2, 4-7, 9-13 and 17-20 are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,



Todd A. Gerety
PTO Reg. 51,729
Attorney for the Applicant
Proskauer Rose LLP
One International Place
Boston, MA 02110

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Tel. (617) 526-9655
Fax (617) 526-9899